

## Chapter 10 BUILDINGS AND BUILDING REGULATIONS\*

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**\*Cross references:** Community development, ch. 22; fire prevention and protection, ch. 34; stormwater management, ch. 48; subdivisions, ch. 50; utilities, ch. 58; building charges, app. B.

**State law references:** State construction code act, MCL 125.1501 et seq.

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## **ARTICLE I. IN GENERAL**

### **Sec. 10-1. State Construction Code--Definitions.**

As used in this article, the term "Act" shall mean the Stille-DeRossett-Hale Single State Construction Code Act, Act No. 230 of the Public Acts of Michigan of 1972, MCL 125.1501 et seq., as amended, with such modifications and amendments as may hereafter be enacted by the State of Michigan.

(Ord. No. 2003-05, § 1, 6-23-03)

### **Sec. 10-2. Same--Election to administer and enforce.**

In accordance with Section 8(B)(6) of the Act, the Charter Township of Georgetown hereby assumes responsibility for the administration and enforcement of the Act, and the building, electrical and mechanical codes promulgated thereunder, as such codes may be amended from time to time. The superintendent of the township and such building inspectors, mechanical inspectors, electrical inspectors and other officers and employees as shall be designated by the superintendent of the township shall discharge the responsibilities of the township under the Act.

(Ord. No. 2003-05, § 1, 6-23-03; Ord. No. 2009-03, 4-13-09)

**Sec. 10-3. Violations; penalty.**

In accordance with Section 23(3) of the Act, a violation of the Act, or the building, electrical, and mechanical codes promulgated thereunder, is hereby designated as a municipal civil infraction punishable in accordance with section 1-11 of this Code; provided, however, that a failure to comply with a stop construction order to stop work order issued by the code official, the township's construction board of appeals, or any other official, agency, commission or committee authorized to issue such orders shall be a misdemeanor, which, upon conviction, is punishable by a fine of not more than \$500.99 or by imprisonment for not more than 90 days, or by both such fine and imprisonment, in the discretion of the court. Each day that a violation continues to exist shall constitute a separate offense. The imposition of a penalty under this section shall be in addition to the abatement of the violating condition, any injunctive relief, or suspension or revocation of any permit or license.

(Ord. No. 2003-05, § 1, 6-23-03)

**Sec. 10-4. Enforcement agency designated.**

Pursuant to the provisions of the Michigan Plumbing Code, in accordance with Section 8B(6) of 1972 PA 230, the building code official of the Charter Township of Georgetown, is hereby designated as the enforcing agency to discharge the responsibility of the Charter Township of Georgetown under 1972 PA 230, State of Michigan. The Charter Township of Georgetown assumes responsibility for the administration and enforcement of said Act throughout its corporate limits.

(Ord. No. 2005-05, § 1, 4-25-05)

**Secs. 10-5--10-25. Reserved.**

**ARTICLE II. CONSTRUCTION BOARD OF APPEALS\***

**\*Editor's note:** Ord. No. 2003-05, § 2, adopted June 23, 2003, amended art. II in its entirety, deleting former §§ 10-26--10-30 and adding new §§ 10-26--10-35, as set forth herein. Formerly, art. II pertained to the building code, and derived from Ord. No. 100, adopted September 23, 1996, Ord. No. 102, §§ VIII and IX, adopted June 25, 1973, and Ord. No. 2001-04, §§ 1--4, adopted November 26, 2001.

**Cross references:** Fee schedule and permit charges for the building code, app. B.

**Sec. 10-26. Application for appeal.**

Any person shall have the right to appeal a decision of the building official under this chapter of such other provisions of the Code as shall specifically provide for such an appeal to

the construction board of appeals. An application for appeal shall be based on a claim that the true intent of this Code has been incorrectly interpreted, the provisions of this Code do not fully apply, or an equivalent form of construction is to be used.

(Ord. No. 2003-05, § 2, 6-23-03)

#### **Sec. 10-27. Creation and membership.**

There is hereby created a construction board of appeals which shall consist of five members appointed by the township supervisor, subject to the confirmation of a majority of the township board, as follows: three for one year and two for two years. Thereafter, each new member shall serve for three years or until a successor has been appointed.

(Ord. No. 2003-05, § 2, 6-23-03)

#### **Sec. 10-28. Qualifications of members.**

The members of the construction board of appeals shall be qualified by training or experience to perform the duties of the construction board of appeals. To the extent possible, at least three of the members shall be chosen one each from the following professions or disciplines:

- (1) A registered design professional with structural engineering or architectural experience, or a builder or superintendent of building construction.
- (2) A registered design professional with mechanical engineering experience, or a mechanical contractor.
- (3) A registered design professional with electrical engineering experience, or an electrical contractor.

(Ord. No. 2003-05, § 2, 6-23-03)

#### **Sec. 10-29. Alternate members.**

The township supervisor, subject to the confirmation of a majority of the township board, may appoint two alternate members of the construction board of appeals who shall be called to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for three years or until a successor has been appointed.

(Ord. No. 2003-05, § 2, 6-23-03)

#### **Sec. 10-30. Disqualification of members.**

A member of the construction board of appeals shall not hear an appeal in which that member has any personal, professional or financial interest.

(Ord. No. 2003-05, § 2, 6-23-03)

**Sec. 10-31. Officers.**

- (a) The construction board of appeals shall annually select one (1) of its members to serve as chairman.
- (b) The building official shall designate a qualified township employee to serve as secretary to the construction board of appeals. The secretary shall file a detailed record of all proceedings in the office of the building official.

(Ord. No. 2003-05, § 2, 6-23-03)

**Sec. 10-32. Notice of meetings.**

The construction board of appeals shall meet upon notice from the secretary, within thirty (30) days of the filing of an appeal, or at stated periodic meetings.

(Ord. No. 2003-05, § 2, 6-23-03)

**Sec. 10-33. Open meetings.**

All hearings before the construction board of appeals shall be open to the public. The appellant, the appellant's representative, the building official and any person whose interests are affected shall be given an opportunity to be heard.

(Ord. No. 2003-05, § 2, 6-23-03)

**Sec. 10-34. Hearing procedure.**

The construction board of appeals shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received. The construction board of appeals shall affirm, modify or reverse the decision of the building official by a concurring vote of three (3) members. Any decision of the board shall be in writing. Copies of the decision shall be furnished to the appellant and the building official. Failure of the construction board of appeals to secure three (3) concurring votes or to take action within thirty (30) days shall be deemed a confirmation of the decision of the building official.

(Ord. No. 2003-05, § 2, 6-23-03)

**Sec. 10-35. Request for postponement.**

When at least three (3) members of the construction board of appeals are not present to consider a specific appeal, either the appellant, the building official or their representatives may request a postponement of the hearing.

(Ord. No. 2003-05, § 2, 6-23-03)

**Secs. 10-36--10-50. Reserved.**

### **ARTICLE III. ELECTRICIAN REGISTRATION\***

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**\*Editor's note:** Ord. No. 2003-05, § 3, amended art. III in its entirety, to read as set forth herein. Formerly, art. III pertained to the electrical code, and derived from Ord. No. 102, §§ II--VII and IX, adopted June 25, 1973, an ordinance adopted September 23, 1996, and Ord. No. 2000-03, adopted August 28, 2000.

**Cross references:** Permit and fee charges for electrical work, app. B.

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#### **Sec. 10-51. Electrical contractor's license.**

No person shall engage in the business of installing, altering or repairing within the township any electric wiring, devices and/or equipment for the installation, alteration or repair of which a permit is required, unless such person is the holder of a valid electrical contractor's license, and unless such person shall have provided a copy of such license to the township clerk.

(Ord. No. 2003-05, § 3, 6-23-03)

#### **Sec. 10-52. Issuance of electrical permit; requirements.**

- (a) No contractor shall be issued a permit for the installation, alteration or repair of any electric wiring or equipment unless he has filed his license with the township clerk as required in section 10-51.
- (b) It shall be unlawful for the holder of an electrical contractor's license to obtain a permit for any type of electrical installation for which a permit is required, unless the installation is made by a person in the regular employ or under the supervision of the holder of the license.

(Ord. No. 2003-05, § 3, 6-23-03)

#### **Sec. 10-53. Schedule of fees.**

A schedule of fees to be charged at the time the permit is granted or for an electrical inspection shall be established from time to time by resolution of the township board.

(Ord. No. 2003-05, § 3, 6-23-03)

**Secs. 10-54--10-80. Reserved.**

#### **ARTICLE IV. RESERVED\***

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**\*Editor's note:** Ord. No. 2003-05, § 4, adopted June 23, 2003, repealed former art. IV, §§ 10-81 and 10-82, which pertained to the mechanical code, and derived from Ord. No. 146, §§ 1 and 2, adopted September 23, 1996, Ord. No. 2000-03, adopted August 28, 2000, and Ord. No. 2001-04, adopted November 26, 2001.

**Cross references:** Fees and charges for the mechanical code, app. B.

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**Secs. 10-81--10-105. Reserved.**

#### **ARTICLE V. RESERVED\***

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**\*Editor's note:** Ord. No. 2003-05, § 5, adopted June 23, 2003, repealed former art. V, § 10-106, which pertained to the plumbing code, and derived from Ord. No. 107, § II, adopted February 1, 1963, and a motion of March 8, 1993.

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**Secs. 10-106--10-125. Reserved.**

#### **ARTICLE VI. PROPERTY MAINTENANCE CODE**

##### **Sec. 10-126. Adoption of property maintenance code.**

A certain document, three (3) copies of which are on file in the office of the clerk in the Charter Township of Georgetown, being marked and designated as The International Property Maintenance Code, 2003 Edition as published by the International Code Council, be and is hereby adopted as the property maintenance code of the Charter Township of Georgetown, in the State of Michigan; for the regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore, and each and all of the regulations, provisions, penalties, conditions and terms of said property maintenance code on file in the office of the Charter Township of Georgetown are hereby referred to, adopted, and made a part thereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in section 10-127 of this article.

(Ord. No. 2001-05, § 1, 11-26-01; Ord. No. 2003-06, § 1, 6-23-03)

**Sec. 10-127. Additions, insertions and changes.**

The following sections are hereby revised:

**Section 101.1. Insert: Georgetown Charter Township**

*Section 101.3* Last sentence to read: Repairs, alterations, additions to and change of occupancy in existing buildings shall comply with the currently adopted and enforced Georgetown Charter Township building code.

*Section 102.3.* Change as follows: Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the currently adopted and enforced Georgetown Charter Township building code. Nothing in this code shall be construed to cancel, modify or set aside any provision of the Georgetown Township Zoning Ordinance.

*Section 103.1* To read: General. The Georgetown Township supervisor shall appoint the executive official in charge thereof who shall be known as the code official.

*Section 103.5.* Insert: As set by resolution of the Georgetown Township Board

*Section 105.3* To read: . . . the code official shall have the authority to require tests to be made as evidence of compliance at a cost to a responsible person, firm or corporation if they are found in violation of codes.

*Section 106.3* To read: Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be responsible for a municipal civil infraction and shall be punished by a fine as set forth in the Schedule of Civil Fines and court costs. Equitable relief may also be awarded as permitted by Michigan law.

*Section 201.3.* To read: Where terms are not defined in this code and are defined in the currently adopted Georgetown Township codes.

*Section 302.4* Weeds. Delete.

*Section 304.14* Delete.

*Section 304.18.1, 304.18.2, 304.18.3* Delete.

*Section 306.1* Change to read: Every exterior flight of stairs having . . .

*Section 307.2.1, 307.2.2, 307.3, 307.3.1, 307.3.2* Delete.



*Section 503.4 Delete.*

*Section 602.2 Exception only. Delete.*

*Section 602.3 Delete.*

*Section 602.4 Delete.*

*Section 602.5 Delete.*

*Section 704 Fire Protection Systems (704.1, 704.2, 704.3, 704.4) Delete all.*

*Chapter 8 Delete.*

(Ord. No. 2001-5, § 3, 11-26-01; Ord. No. 2003-06, § 2, 6-23-03)

**Secs. 10-128--10-150. Reserved.**

## **ARTICLE VII. COMPLETION OF EXTERIOR FEATURES OF A STRUCTURE.**

### **Sec. 10-151. Exterior features of a structure.**

- (a) When a building permit has been issued by the Charter Township of Georgetown for construction of a structure, addition to structure, or changes to a structure which require such a permit under the building code in effect at the time, the exterior features shall be fully completed within the time limits set forth in this article.
  - (1) For a residential structure, the exterior features shall be completed within twelve (12) months of the issuance of the initial permit for such construction.
  - (2) For a commercial structure, industrial structure, or other structure, the exterior features shall be completed within eighteen (18) months of the issuance of the initial permit for such construction.
  - (3) For any residential structure for which the initial building permit was issued on or before one (1) year prior to the effective date of this article, all exterior features shall be completed within thirty (30) days of the effective date of this article.
  - (4) For any commercial structure, industrial structure, or other structure for which the initial building permit was issued on or before eighteen (18) months prior to the effective date of the ordinance, all exterior features shall be completed within thirty (30) days of the effective date of this article.
  - (5) The time for completion of all exterior features of a structure may be extended by the building official only after the approval of the township board for good reason.

- (b) Exterior features shall include all elements of the exterior of the structure and property, including but not limited to, siding or exterior finishing, exterior doors, windows, garage doors, roof coverings, painting or staining of the exterior of the structure, garage floors, sidewalks, driveways and approaches, parking lots or parking areas, appurtenant or auxiliary structures, lighting and any other element needed to complete the exterior of the structure.
- (c) Violation of this article shall be a municipal civil infraction.
- (d) Each day on which the exterior features are not complete after the time limits set forth in this article shall be a separate violation of this article.
- (e) Enforcement of this article shall be subject to the provisions of the municipal civil infractions chapter in this Code of Ordinances.
- (f) Equitable relief may also be awarded as permitted by Michigan law. Each act of violation and every day upon which any such violation shall occur shall constitute a new and separate offense.

(Ord. No. 2009-02, 3-9-09)

**Secs. 10-152--10-175. Reserved.**

**ARTICLE VIII. MOVING OF BUILDINGS**

**Sec. 10-176. Violation of article.**

Any party who moves a building in violation of this article shall be responsible for a municipal civil infraction and shall be punished by a fine as set forth in the schedule of civil fines and court costs. Equitable relief may also be awarded as permitted by Michigan law.

(Ord. No. 105, § VII, 12-15-59; Ord. No. 2000-03, 8-28-00; Ord. No. 2000-04, 10-23-00; Ord. No. 2001-02, 11-26-01)

**Sec. 10-177. Permits--Generally.**

The building official shall henceforth issue no permits for the moving of any building from any part of the township to another or from any location within the township, except as specified in this article.

(Ord. No. 105, § II, 12-15-59; Ord. No. 2000-04, 10-23-00)

**Sec. 10-178. Same--Application.**

Such application shall be obtained from the township office and shall be completed with the following information: a complete description of the building to be moved, its location, and

the legal description and street address of the property to which it is to be moved, and any other data which the building official deems of importance in arriving at a decision.

(Ord. No. 105, § IV, 12-15-59; Ord. No. 2000-04, 10-23-00)

**Sec. 10-179. Procedures and fees.**

- (a) Any person desiring to move any building of any kind larger than 120 square feet from one point in the township to another, or from any point outside the township to a location in the township, shall first make application for a permit to the building official, and pay an application fee established by the township. The building official shall, after inspection of the building and the proposed new site, have the authority to issue such a permit. If the building official does not approve and issue such permit, the applicant may, on payment of an additional cost established by the township, request that the application be submitted to the township board for consideration as provided in this section.
- (b) In the event relocation of a building involves movement over a public street or road, the applicant shall provide not less than a 24 hour notice of the actual relocation effort. Said notice shall be provided to Georgetown Charter Township (Fire and Building Department), the Ottawa County Sheriff's Office, the Ottawa County Road Commission, plus any school districts located within the route. In the event said county agencies require a greater notification period, said notification shall be provided.

(Ord. No. 105, § III, 12-15-59; Ord. No. 2000-04, 10-23-00)

**Sec. 10-180. Site examination and certification of occupancy.**

- (a) Upon receipt of such application, the township building official shall forthwith inspect the building to be moved and the area into which the building is to be moved. Such permit shall not be issued unless the building, after it has been moved, shall be in compliance with the provisions of the township building and zoning ordinances, and such building shall not be occupied or used until a certificate of occupancy has been obtained from the township building official.
- (b) The site upon which the relocated building will be placed shall be fully restored within 12 months of issuance of the certification of occupancy, provided, however, the building official shall be authorized to reduce the period of site restoration if determined necessary for purposes of proper erosion control, site drainage, site stability, and like factors having a potential to negatively impact surrounding properties. Site restoration shall be consistent with that of sites in the surrounding neighborhood.
- (c) The original site from which the relocated building was moved shall be properly maintained so as to prevent injury to the public.

(Ord. No. 105, § V, 12-15-59; Ord. No. 2000-04, 10-23-00)

## **Sec. 10-181. Completion.**

If the applicant fails to meet the requirements of section 10-180 of this article, the township may enter upon the site and take such steps as may be necessary to bring the site into compliance with the provisions of the township building code and zoning ordinance. Negligence or refusal to comply with the terms of this article shall result in a fine and court costs as prescribed in section 10-176 of this article, in addition to the costs incurred by the township. The township shall have a lien upon the lot for the amount of such expenses. The lien shall be enforced in the manner prescribed by the laws of the state providing for the enforcement of tax liens.

(Ord. No. 105, § VI, 12-15-59; Ord. No. 2000-04, 10-23-00)

## **Secs. 10-182--10-200. Reserved.**

## **ARTICLE IX. RESERVED\***

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**\*Editor's note:** Ord. No. 2001-05, § 3, adopted Nov. 26, 2001, deleted article IX. Former article IX pertained to swimming pools and derived from Ord. No. 148, adopted Nov. 26, 1990; Ord. of Nov 22, 1993; Ord. of Aug. 12, 1996; and Ord. No. 2000-03, adopted Aug. 28, 2000.

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## **Secs. 10-201--10-210. Reserved.**

## **ARTICLE X. SIDEWALKS**

### **Sec. 10-211. Definitions.**

When used in this article, the words defined in this section shall have the following meanings:

*Administrator* shall mean the township zoning administrator, or his designee.

*Sidewalk* shall mean the portion of the street right-of-way designed for pedestrian travel.

(Ord. No. 2000-01, § 1, 5-8-00)

### **Sec. 10-212. General construction requirements.**

No person shall construct, rebuild, or repair any sidewalk except in accordance with the line, grade, slope and specifications established by the zoning administrator.

(Ord. No. 2000-01, § 2, 5-8-00)

### **Sec. 10-213. Line and grade stakes.**

The landowner shall be responsible for making careful and accurate measurements in constructing the work to the lines furnished by the zoning administrator.

(Ord. No. 2000-01, § 3, 5-8-00)

**Sec. 10-214. Sidewalk specifications.**

Sidewalks shall be constructed in accordance with specifications on file in the office of the zoning administrator, copies of which shall be available to the public.

(Ord. No. 2000-01, § 4, 5-8-00)

**Sec. 10-215. Suspension or revocation of permit; stop work orders.**

The zoning administrator may suspend any permit issued under the terms of this article for failure to comply with the terms of this article or the rules, regulations, plans and specifications established under the provisions of this article for the construction, reconstruction or repair of any sidewalk. The zoning administrator may cause work to be stopped under any permit granted for the construction, reconstruction or repair of any sidewalk by issuing a stop order whenever in his judgment the provisions of this section are not complied with, and any such stop order shall be effective until the next regular meeting of the township board and if confirmed by the board at its next regular meeting, such stop order shall be permanent and shall constitute a revocation of the permit.

(Ord. No. 2000-01, § 5, 5-8-00)

**Sec. 10-216. Construction by land owner; sidewalk locations.**

The township board has the authority (at its discretion) to order the installation and construction of sidewalks and/or non-motorized paths, pursuant to township sidewalk and/or non-motorized path specifications, in any area of the township it deems reasonably necessary in order to protect the health, safety or welfare of the residents of the township.

Concrete sidewalks shall be installed, constructed, and maintained adjacent to paved streets in all new residential developments given final plat approval after June 1, 2000, and all developments given site plan or planned unit development approval after June 1, 2000.

Non-motorized paths eight feet in width shall be installed, constructed with asphalt and maintained adjacent to paved streets in all new residential developments given final plat approval after January 1, 2006, and all developments given site plan or planned unit development approval after January 1, 2006, in place of sidewalks along the following streets:

- (a) 48th Avenue.
- (b) 36th Avenue from Baldwin Street to Fillmore Street.
- (c) 40th Avenue from Bauer Road to Fillmore Street.

- (d) Bauer Road from 36th Avenue to 48th Avenue.
- (e) Fillmore Street from 36th Avenue to 48th Avenue.

In all instances of plats given final plat approval after June 1, 2000, or other developments where sidewalks are required, the sidewalks and/or non-motorized paths shall be constructed by the property owner on all property within the plat or development adjacent to all paved streets no later than seven (7) years from the date of final plat approval or other approval of the development by the township whether or not construction has taken place on such property. Where a developer or property owner does not desire to construct and install a sidewalk or sidewalks pursuant to the initial construction or installation of improvements within the plat or development involved and has obtained township approval, the township shall have the authority to require that financial security be filed with the township (in the form of a cash deposit, bond, or irrevocable letter of credit, and in a form, amount, and from a financial institution deemed acceptable to the township) in an amount estimated by the township to be sufficient to cover the costs of installation of sidewalks in all portions of the plat or development plus reasonable incidental additional costs and expenses.

Existing commercial or industrial developments which receive substantial additions or improvements, defined as a construction cost of \$20,000.00 or more within a 12-month period, shall construct, install, and maintain township-approved concrete sidewalks.

Non-motorized paths eight feet in width shall be installed, constructed with asphalt and maintained adjacent to paved streets in place of sidewalks along the following streets:

- (a) 48th Avenue.
- (b) 36th Avenue from Baldwin Street to Fillmore Street.
- (c) 40th Avenue from Bauer Road to Fillmore Street.
- (d) Bauer Road from 36th Avenue to 48th Avenue.
- (e) Fillmore Street from 36th Avenue to 48th Avenue.

Sidewalks and/or non-motorized paths shall be shown on the site plans submitted to the township for approval and shall be constructed prior to the issuance of the occupancy permit.

All required sidewalk and non-motorized path construction herein shall be at the sole cost and responsibility of the owner of the property involved.

The following projects shall be exempt from such sidewalk requirements: all developments located in the AG and RR zoning districts except for those developments, projects, or uses within the AG or RR zoning districts which are of such a size or which will have such potential impacts that the township board deems it reasonably necessary that sidewalks shall be installed, constructed, and maintained in order to protect the health, safety, and welfare of the residents and property owners in the area; exterior cosmetic alterations which do not increase the usable area or exterior limits of the building; interior alteration work; and projects which do not require the submission to and approval of a site plan by the township.

The township board shall have the authority to waive the sidewalk and/or non-motorized path requirement (as well as sidewalk and/or non-motorized path construction standards) if, in the opinion of the township board, the requirement would result in significant unfairness or unreasonable hardship.

(Ord. No. 2000-01, § 6, 5-8-00; Ord. No. 2003-07, 11-24-03; Ord. No. 2005-08, 6-27-05; Ord. No. 2005-09, 12-12-05; Ord. No. 2008-01, 9-22-08)

#### **Sec. 10-217. Construction by township.**

If the owner of any lot or premises shall fail to build any particular sidewalk within the time and in the manner required thereby, the zoning administrator is hereby authorized and required, immediately after the expiration of the time limited for the construction or rebuilding by the owner, cause such sidewalk to be constructed and the expense thereof shall be charged to such premises and the owner thereof, and collected as provided for single lot assessments.

(Ord. No. 2000-01, § 7 5-8-00)

#### **Sec. 10-218. Reserved.**

**Editor's note:** Ord. No. 2001-06, § 3, adopted Nov. 26, 2001, deleted § 10-218. Former § 10-218 pertained to sidewalk maintenance and derived from Ord. No. 2000-01, adopted May 8, 2000.

#### **Sec. 10-219. Sidewalk repair.**

Whenever the zoning administrator shall determine that a sidewalk is unsafe for use, notice may be given to the owner to the lot or premises adjacent to and abutting upon said sidewalk of such determination. Thereafter, it shall be the duty of the owner to place said sidewalk in a safe condition. Such notice shall specify a reasonable time, not less than seven days, within which such work shall be commenced, and shall further provide that the work shall be completed with due diligence. If the owner of such lot or premises shall refuse or neglect to repair said sidewalk within the time limited therefor, or in a manner otherwise than in accordance with this section, the zoning administrator shall have the sidewalk repaired. If the zoning administrator determines that the condition of said sidewalk is such that immediate repair is necessary to protect the public, (s)he may dispense with said notice. The cost of repairs hereunder may be shared by the township as provided by the township board and shall be charged against the premises which said sidewalk adjoins and the lot owner of said premises, and shall be collected as provided for single lot assessments.

(Ord. No. 2000-01, § 9, 5-8-00)

#### **Sec. 10-220. Sidewalks to be cleared.**

The occupant of every lot or premises adjoining any street, or the owner of such lot or premises, if the same are not occupied, shall clear all ice and snow from sidewalks adjoining any

street, or the owner of such lot or premises, if the same are not occupied, shall clear all ice and snow from sidewalks adjoining such lot or premises within the time herein required. When any snow or ice shall cease to fall during the daylight hours, such snow or ice shall be cleared from the sidewalks within 24 hours after such cessation. When a fall or snow or ice shall have ceased during the nighttime, it shall be cleared from sidewalks by 6:00 p.m. of the day following.

(Ord. No. 2000-01, § 10, 5-8-00)

**Secs. 10-221--10-230. Reserved.**

## **ARTICLE XI. FLOODPLAIN MANAGEMENT PROVISIONS OF THE STATE CONSTRUCTION CODE AND FLOODPLAIN MANAGEMENT PROVISIONS UNRELATED TO THE STATE CONSTRUCTION CODE**

**Sec. 10-231. Agency designated.**

Pursuant to the provisions of the State Construction Code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, the Building Official of the Charter Township of Georgetown is hereby designated as the enforcing agency to discharge the responsibility of the Charter Township of Georgetown under Act 230, of the Public Acts of 1972, as amended, State of Michigan. The Floodplain Manager of the Charter Township of Georgetown is hereby designated as the enforcing agency to discharge the responsibilities of the Charter Township of Georgetown for floodplain management unrelated to the State Construction Code, including, but not necessarily limited to, zoning ordinances, subdivision regulations, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance), and other applications of police power that provide standards for the purpose of flood damage prevention and reduction. The Charter Township of Georgetown assumes responsibility for the administration and enforcement of said Act throughout the corporate limits of the community adopting this article.

(Ord. No. 2010-02, § 1, 2-8-10)

**Sec. 10-232. Code appendix enforced.**

Pursuant to the provisions of the State Construction Code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the enforcing agency within the Charter Township of Georgetown.

(Ord. No. 2010-02, § 2, 2-8-10)

**Sec. 10-233. Designation of regulated flood prone hazard areas.**

The Federal Emergency Management Agency (FEMA) Flood insurance Study (FIS) Entitled Ottawa County, Michigan (all jurisdictions), dated PRELIMINARY JUNE 19, 2009, and the Flood Insurance Rate Maps (FIRMS) panel numbers of 26139C, 0234E, 0245E, 0255E, 0258E, 0261E, 0262E, 0263E, 0264E, 0266E, 0268E, 0332E, 0351E, 0352E, and 0356E, dated



preliminary June 19, 2009, are adopted by reference for the purposes of administration of floodplain management and administration of the Michigan Construction Code, and declared to be a part of Section 1612.3 of the Michigan Building Code, and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.

(Ord. No. 2010-02, § 3, 2-8-10)